

10/08/99  
jc682 U.S. PTO

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Att'y Dkt. No. 5700-001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Chad D. Strickland and Mark T. Cheatwood

Application No.: Not Yet Assigned

Filed on: Herewith

Title: ATHLETIC GARMENT WITH INNER THIGH GUARDS

jc678 U.S. PTO  
09/415324  
10/08/99

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Chad d. Strickland and Mark T. Cheatwood

For (title): ATHLETIC GARMENT WITH INNER THIGH GUARS

1. Type of Application

This transmittal is for an original (nonprovisional) application.

CERTIFICATE OF MAILING - EXPRESS MAIL  
37 C.F.R. § 1.10

Express Mail No. EL342794375US

Date of Deposit: October 8, 1999

I hereby certify that this correspondence and the documents referred to as enclosed herein are being deposited with the United States Postal Service on the date shown above, in an envelope as "Express Mail Post Office to Addressee," having the Express Mail No. shown above, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

Name of Person Mailing Paper: Mary M. Lee

Signature:

Mary M. Lee

**2. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

5 Page(s) of Specification

3 Page(s) of Claims

2 Sheet(s) of Drawing(s)-Informal

B. Other Papers Enclosed

3 Page(s) of declaration and power of attorney

1 Page(s) of abstract

**3. Additional Papers Enclosed**

Information Disclosure Statement (37 C.F.R. 1.98)

Form PTO-1449 (PTO/SB/08A)

with copies of all listed references

**4. Declaration or Oath**

A Declaration and Oath, executed by the inventor(s) is enclosed.

**5. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**6. Language**

English

**7. Fee Calculation (37 C.F.R. 1.16)**

Regular Application

**CLAIMS AS FILED**

Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee \$760
Total Claims	20	20	0	x \$18	0
Independent Claims	1	3	0	x \$78	0
					<b>TOTAL FEE \$760</b>

**8. Small Entity Statement(s)**

A statement that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27 is attached.

Filing Fee Calculation (50% of above) \$380.00

**9. Fee Payment Being Made at This Time**

Payment of the following fees is enclosed:

Filing Fee \$380

**Total Fees Enclosed \$380**

**10. Method of Payment of Fees**

Check in the amount of \$380 is enclosed.

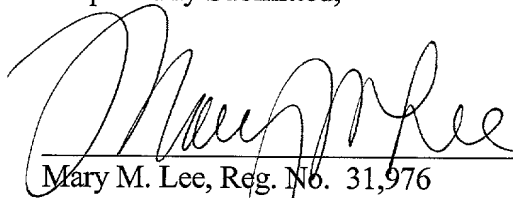
**11. Instructions as to Under/Overpayment**

Please credit any overpayment to and withdraw any fee deficiency from the undersigned's Deposit Account No. 50-0474.

**12. Return Postcard**

A self-addressed, stamped return postcard is enclosed.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Mary M. Lee", is written over a horizontal line.

Mary M. Lee, Reg. No. 31,976

Attorney at Law

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: D. Chad Strickland and Mark T. Cheatwood  
Application No.: Not Yet Assigned  
Filed on: Herewith  
Title: ATHLETIC GARMENT WITH INNER THIGH GUARDS

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b)—INDEPENDENT INVENTOR**

As a below named inventor, I hereby state that I qualify as an independent inventor, as defined in 37 C.F.R. § 1.9(c), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office, with regard to the invention described in the specification filed herewith, with title as listed above.

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), if that person had made the invention, or to any concern that would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e).

No person, concern or organization exists to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

Inventor Name: D. Chad Strickland

Signature:

D. Chad Strickland

Date:

10-8-99

Inventor Name: Mark T. Cheatwood

Signature:

Mark T. Cheatwood

Date:

10-8-99

## ATHLETIC GARMENT WITH INNER THIGH GUARDS

## FIELD OF THE INVENTION

The present invention relates generally to athletic garments with protective  
5 padding.

## BACKGROUND OF THE INVENTION

The most dangerous positions in baseball are infielders, which include the  
catcher position. When an infielder is in the fundamental ready position he or she is  
especially vulnerable to injury in the inner thighs. Those playing the position of catcher  
10 are particularly subject to such injuries. The catcher must crouch or squat immediately  
behind the plate with his or her knees apart while the ball is being thrown directly over  
the plate at the catcher. Consequently, the ball often hits the catcher either because the  
batter misses the on-coming ball entirely or because the bat only deflects the ball. To  
protect against injuries, catchers wear a variety of protective gear including helmets,  
15 masks, chest plates, cups and shin and knee guards. However, there remains a need to  
protect the inner thighs of infielders and especially the catcher, as this body area is  
exposed when these players are in the fundamental ready position.

## SUMMARY OF THE INVENTION

The present invention is directed to an athletic garment. The garment  
20 comprises a body including a pair of thigh portions. The garment further comprises a  
pair of guard members, one supported by each of the thigh portions over the inner thigh  
when the garment is worn.

## BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 shows a front perspective view of an athletic garment made in accordance with the present invention.

Figure 2 shows a rear view of the athletic garment shown in Figure 1.

5        Figure 3 shows an enlarged, partially cutaway view of the protective pad supported on the inside of each of the thigh portions of the garment.

## DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Turning now to the drawings in general and to Figures 1 and 2 in particular, there is shown therein an athletic garment made in accordance with the present  
10    invention and designated generally by the reference numeral 10. In the embodiment illustrated, the garment 10 is a pair of shorts, however the garment could take the form of long pants or any other item of apparel that include a portion that covers the thighs. Preferably, the garment is a pair of compression shorts made of a blend of nylon and Lycra® spandex material, or some other highly elastic, washable and durable fabric.  
15    However, the garment may be formed of virtually any material, elastic or otherwise. While particularly suitable for baseball players in the position of catcher and other infielders, the protective garment of this invention will be useful by athletes in other sports as well, including but not limited to football, soccer and hockey, for example.

The garment 10 comprises a body portion 12 including a pair of thigh  
20    portions 14 and 16. In most instances, the body portion 12 will have a waistband 20 and the thigh portions will have hems 22 and 24. More preferably, the body portion 12 will comprise a pair of side portions 26 and 28, continuous with the thigh portions 14 and 16, respectively, the side portions being joined by a crotch portion 30.



The garment 10 further comprises a pair of guard members such as the pads 32 and 34. The pads 32 and 34 are supported by the thigh portions 14 and 16 over the respective adjacent inner thighs of the wearer when the garment is worn. As used herein, "inner thigh" refers to the medial aspect of the thigh, that is, the area generally  
5 between the front and back of the leg and between the knee and groin. This is to be distinguished from the frontal aspect of the thigh.

Preferably, the pads 32 and 34 are flexible so that they will conform to the shape of the thigh and bend when the wearer moves. More preferably, the pads 32 and 34 are shock absorbing in order to absorb at least part of the impact of a ball or other  
10 blow to the inner thigh during sports activities. Still further, it is desirable if the pads 32 and 34 are deflective so that blows from balls and the like will be deflected away from the thigh area.

Figure 3 illustrates a preferred structure for the pads 32 and 34. As the pads 32 and 34 are identically formed, only the pad 34 is shown and described in detail.  
15 The pad 34 preferably is formed of a first deflective layer 36 and a second shock-absorbing layer 38. The first layer 36 preferably is flexible, or bendable, so that it can be curved to conform to the contour of the thigh, and also dense or hard enough to deflect at least a portion of the impact. More preferably, the first layer 36 is highly porous and lightweight. Even more preferably, the first layer 36 is made of a non-elastic, flexible,  
20 hardened pliant substance, such as plastic. It may take the form of a grid or lattice, as shown; this makes the first layer 36 lightweight, flexible and washable, resistant to crumpling or folding, and capable of deflecting at least some of the impact of a blow from a ball or other object. Alternatively, the deflective layer 36 may be a solid sheet.

The second layer 38 preferably is a relatively compressible medium such as dense foam, which is shock absorbent and also washable. In most instances, the first layer 36 will be under the second layer 38, that is, nearer the thigh of the wearer.

As indicated, the pads 32 and 34 are supported over the inner aspect of the thigh. To this end, the garment 10 may be formed with pouches or pockets 40 and 42. Usually, the pockets 40 and 42 will be formed on the inside of the thigh portions 14 and 16; however, a similar protective effect would be achieved by supporting the pads 32 and 34 on the outside of the garment 10.

The pockets 40 and 42 may be simply provided by stitching a piece of fabric 44 (shown only in Figure 3) slightly larger than the pads 32 and 34 on the side of the thigh portions 14 and 16 of the garment 10. This fabric 44 should be washable, absorbent and non-abrasive, as it will directly contact the skin. As thus constructed, the pocket 44 is formed by stitching or otherwise adhering the edges of the fabric 44 on the inside of the thigh portion 16 with the first layer 36 and the second layer 38 sandwiched therebetween.

It will be apparent now that in some cases, it may be advantageous to leave a portion of the pockets open so that the pads can be removed. To that end, each pocket could be provided with a zippered, hook and latch, buttoned or flapped closure. However, in the preferred embodiment the pads are not removable.

Now it will be appreciated that the garment of the present invention provides athletes with protection not heretofore available. Conventional compression shorts or pants can be provided with protective pads for the inner thighs to protect athletes in general and baseball catchers in particular against injuries to this especially

vulnerable and tender area of the body. The pads can be removably or non-removably supported on the inside or outside of the thigh portion of the pants or shorts. When constructed of the materials described herein, the garment is washable and durable as well.

- 5                   Changes can be made in the combination and arrangement of the various parts and elements described herein without departing from the spirit and scope of the invention as defined in the following claims.

## CLAIMS

What is claimed is:

1. An athletic garment comprising:  
a body including a pair of thigh portions; and  
a pair of guard members, one supported by each of the thigh portions and  
positioned to cover the adjacent inner thighs when the garment is  
worn.
2. The garment of claim 1 wherein the garment is a pair of shorts.
3. The garment of claim 1 wherein the body of the garment is formed  
of elastic material.
4. The garment of claim 3 wherein the garment is a pair of shorts.
5. The garment of claim 1 wherein the guard members are shock  
absorbent.
6. The garment of claim 1 wherein the guard members are deflective.
7. The garment of claim 6 wherein the guard members are shock-  
absorbent.
8. The garment of claim 1 wherein the guard members are supported  
within pockets formed on the inner aspect of the thigh portions of the body.
9. The garment of claim 8 wherein the guard members are non-  
removably supported in the pockets.

10. The garment of claim 1 wherein each guard member comprises a deflective layer.

11. The garment of claim 10 wherein each guard member further comprises a shock-absorbing layer.

12. The garment of claim 11 wherein the deflective layer is flexible.

13. The garment of claim 12 wherein the shock-absorbing layer is flexible.

14. The garment of claim 13 wherein the deflective layer is plastic.

15. The garment of claim 14 wherein the shock-absorbing layer is compressible.

16. The garment of claim 15 wherein the shock-absorbing layer is foam.

17. The garment of claim 16 wherein in each guard member the deflective layer is under the compressible layer.

18. The garment of claim 17 wherein each guard member is supported in a pocket on the inner aspect of each thigh portion.

19. The garment of claim 18 wherein each guard member is non-removably supported within the pocket.

20. The garment of claim 19 wherein the garment is a pair of shorts made of flexible, elastic material.

## ABSTRACT OF THE DISCLOSURE

An athletic garment with protective guard members on the inner thighs.

The garment preferably will be compression shorts or pants. The guard members are supported in pockets formed on the inside of each thigh portion of the shorts. The guard member preferably is adapted to both deflect impacts and to absorb shock from impacts, particularly from balls in sports such as baseball. The guard member preferably is formed of an inner flexible, hard plastic deflective layer and an outer flexible, shock-absorbing foam layer. Thus, the garment of this invention is particularly suited for use by a baseball catcher and the other infielders, but will be useful to athletes in any sport.

This protective garment will reduce the discomfort and injury caused by the impact of a ball or other equipment or objects employed in virtually any sports activity.

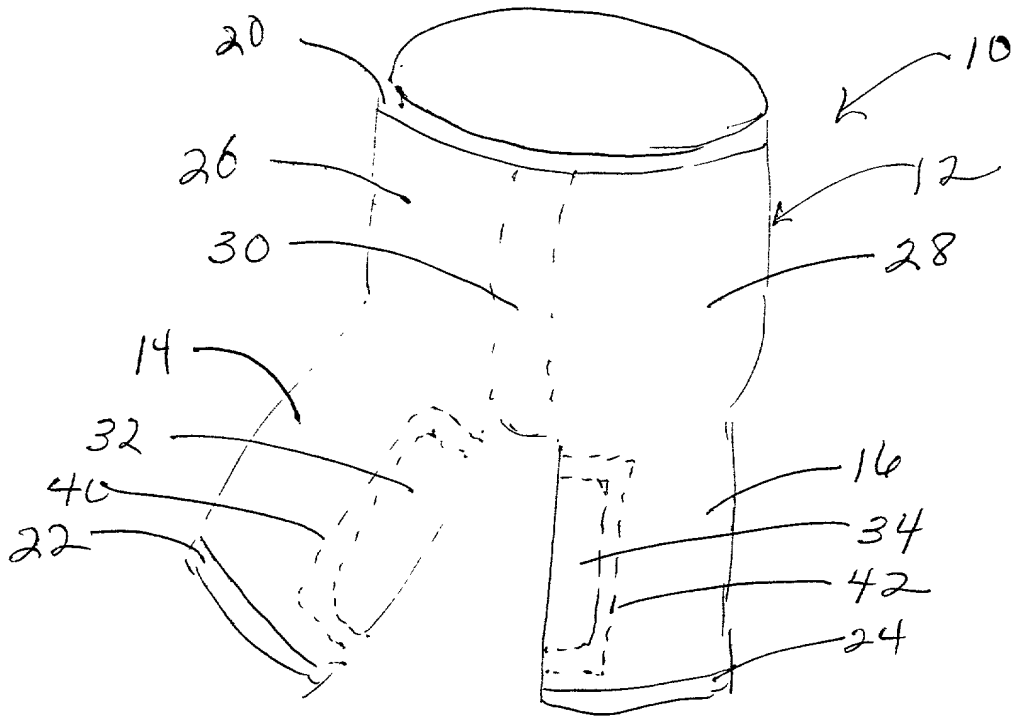


FIG. 1

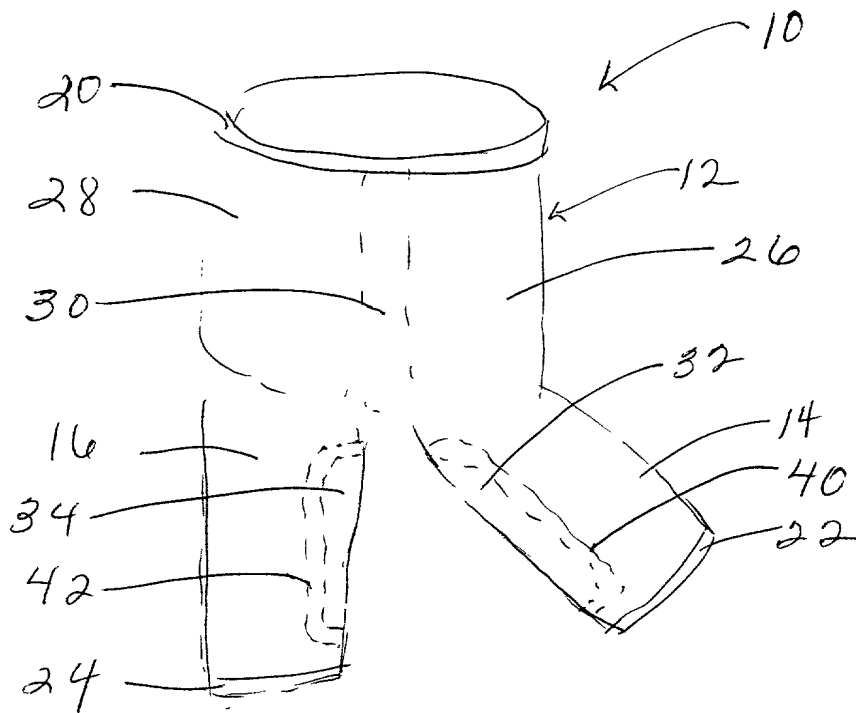




FIG. 3

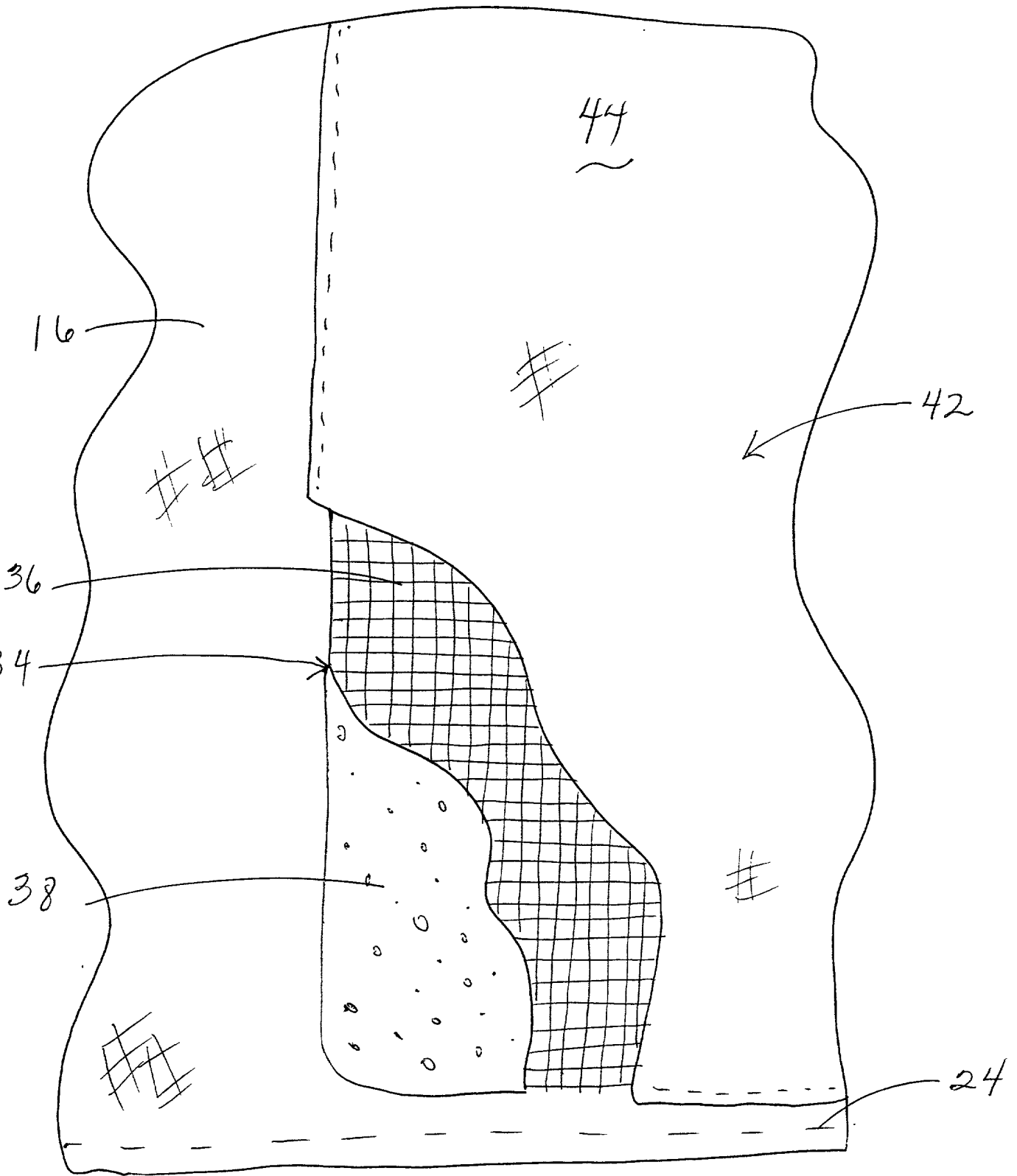


FIG. 3

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**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for an original application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

ATHLETIC GARMENT WITH INNER THIGH GUARDS

**SPECIFICATION IDENTIFICATION**

The specification is attached hereto.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

## **POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Mary M. Lee Registration Number 31,976

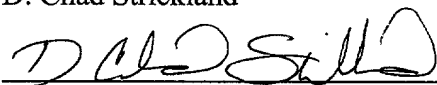
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## **DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Inventor's Name: D. Chad Strickland  
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